



BAILEY DUQUETTE P.C.

February 16, 2023

BY HAND AND ECF (WITHOUT ENCLOSURES ON ECF)

The Honorable Robert W. Lehrburger
United States Magistrate Judge
United States District Court for the Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007

Re: *In re Application of Forensic News LLC & Scott Stedman*, No. 22-MC-0229

Dear Judge Lehrburger:

We represent non-party Mark Rossini.

In furtherance of the Court's request during the February 13, 2022 conference, we are enclosing herein for the Court's *in camera* review the four documents (inclusive of one attachment) in Mr. Rossini's possession that he has identified as responsive to Forensic News LLC and Scott Stedman's ("Petitioners") 28 U.S.C. § 1782 Subpoena, and to which Mr. Rossini has asserted the act-of-production privilege.

To reiterate our representation to the Court during the February 13, 2022 conference, and earlier representations to Petitioners, in the absence of Mr. Rossini asserting the act-of-production privilege, Mr. Rossini would assert the attorney-client privilege, work-product immunity and litigation privilege (under UK law) with respect to these documents (and provide a privilege log detailing the same). In this regard, the documents arise out of services Mr. Rossini provided to USG – to whom he was performing independent contractor services – and it is a UK business that performs investigatory work at the behest of counsel.

We thank the Court for its continued attention to this matter.

Respectfully submitted,

/s David I. Greenberger
David I. Greenberger, Esq.
Bailey Duquette P.C.
O: (212) 658-1946 ext. 204
M: (646) 633-2987
E: david@baileyduquette.com
Civil Counsel to Mark Rossini

104 Charlton Street, Suite 1W, New York, NY 10014

www.baileyduquette.com

The Honorable Robert W. Lehrburger 2

February 16, 2023

Enclosures

cc: All Noticed Counsel (by ECF)(without enclosures)